

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 09-cv-300-SM

Elaine A. Brown

ORDER OF RECUSAL

While this case does not involve allegations of threats made against me (which would unquestionably warrant recusal), given earlier public statements attributed to the defendant of a threatening character, and directed at me, I conclude that a reasonable person fully informed of the pertinent facts might understandably question my ability to remain impartial were I to preside. While I have no doubt about my own ability to be impartial, I think the public interest is better served by my recusal and reassignment of this case to a different judge to avoid the risk of even an appearance of partiality.

The Clerk shall reassign the matter to a different judge.

SO ORDERED.


Steven J. McAuliffe
Chief Judge

September 4, 2009

cc: Julie C. Avetta, Esq.